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Federal Public Defender  
2 Nevada State Bar No. 11479  
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8 Attorney for Petitioner Clay Burgon

9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA  
11

12 CLAY BURGON,

13 Petitioner,

14 v.

15 BRIAN WILLIAMS,

16 Respondents.  
17

Case No. 2:14-cv-01128-RFB-CWH

**UNOPPOSED MOTION FOR  
EXTENSION OF TIME TO FILE  
OPPOSITION TO MOTION TO  
DISMISS**

**(FIRST REQUEST)**

18 Petitioner Clay Burgon, by counsel, moves this Court for the entry of Order  
19 extending the time within which he must file an Opposition to Motion to Dismiss by  
20 45 days from October 2, 2017 to and including November 16, 2017. Burgon's  
21 request is based on the record in this case and the attached Points and Authorities.  
22 The state, by Deputy Attorney General Matthew S. Johnson, does not object to this  
23 request.  
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1 **POINTS AND AUTHORITIES**

2 1. On March 31, 2016, the Office of the Federal Public Defender was  
3 appointed as counsel for Petitioner, Clay W. Burgon (ECF No. 24). Undersigned  
4 counsel filed her appearance on August 22, 2017 (ECF No. 47).

5 2. This is Burgon's first request for an extension of time. This motion is not  
6 filed for the purposes of delay but in the interests of justice, as well as in the interests  
7 of Burgon.

8 3. Counsel's schedule and circumstances beyond her control have  
9 precluded her from meeting the current deadline of October 2, 2017. Counsel began  
10 employment with the Federal Public Defender District of Nevada on August 14, 2017.  
11 Counsel filed an amended petition on September 15, 2017. In addition, counsel filed  
12 a time-sensitive petition for writ of habeas corpus in the Eighth Judicial District  
13 Court on September 20, 2017. Counsel has also scheduled client visits with all of her  
14 new clients, and therefore she has had to become acquainted with all of their cases in  
15 a short period of time. Furthermore, counsel is preparing an evidentiary hearing  
16 scheduled for October 24, 2017.

17 4. On September 27, 2017, counsel e-mailed Deputy Attorney General  
18 Matthew S. Johnson regarding her requested extension. On September 27, 2017, he  
19 responded that he does not object to this request.

20 5. The requested extension is necessary for counsel to complete her review  
21 of the case and to draft and file the Opposition to Motion to Dismiss. For these  
22 reasons, as well as the record in this case, Burgon respectfully asks this Court to  
23 grant his request to extend the time for filing an opposition by 45 days until  
24 November 16, 2017.  
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1 Dated this 2nd day of October, 2017.

2 Respectfully submitted,

3 RENE L. VALLADARES  
4 Federal Public Defender

5 /s/ Kimberly Sandberg  
6 KIMBERLY SANDBERG  
7 Assistant Federal Public Defender

8 IT IS SO ORDERED:

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11 RICHARD F. BOULWARE, II  
12 United States District Judge  
13 DATED this 4th day of October, 2017.  
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Participants in the case who are registered CM/ECF users will be served by the CM/ECF system and include: Matthew S. Johnson.

Clay Burgon  
No. 87633  
High Desert State Prison  
PO Box 650  
Indian Springs, NV 89070

/s/ Jessica Pillsbury  
An Employee of the  
Federal Public Defender